

Daniel J. Kornstein (DK - 3264)
KORNSTEIN VEISZ WEXLER & POLLARD, LLP
757 Third Avenue
New York, New York 10017
(212) 418-8600

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MITSUBISHI INTERNATIONAL :
CORPORATION, : 08 CV 00194 (JSR) (GWG)
: Plaintiff, : **AFFIDAVIT**
: :
: -against- :
: : ECF Case
INTERSTATE CHEMICAL CORPORATION, :
: Defendant.
-----X

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

AMY C. GROSS, being duly sworn, deposes and says:

1. I am an attorney at Kornstein Veisz Wexler & Pollard, LLP, counsel for the plaintiff in this action, Mitsubishi International Corporation ("MIC"). I have personal knowledge of the facts set forth in this affidavit, which I make in further support of plaintiff's motion for summary judgment.

2. A copy of the initial disclosures of defendant
Interstate Chemical Corporation is annexed hereto as Exhibit Q.



AMY C. GROSS

Sworn to this 2nd
day of September, 2008

Babette D. Fortune
Notary Public

BABETTE D. FORTUNE
Notary Public, State of New York
No. 01FO6016548
Qualified in New York County
Commission Expires 11/23/2010

Exhibit Q

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MITSUBISHI INTERNATIONAL CORPORATION,

Plaintiff,

-against-

INTERSTATE CHEMICAL CORPORATION,

Defendant.

08 Civ. 00194 (JSR)(GWG)

INITIAL DISCLOSURES

Defendant Interstate Chemical Corporation ("Interstate") hereby makes the following initial disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure.

Interstate makes these disclosures without waiving any claim of privilege or work product protection, any objections to the discoverability of information, or any other exemptions from disclosure or discovery.

Interstate reserves the right to supplement these Initial Disclosures at a later date pursuant to Rule 26(e).

1. Fed.R.Civ.P. 26(a)(1)(A)

Persons likely to have discoverable information that Interstate may use to support its defenses:

A. Dr. Al Puntureri
Interstate Chemical Corporation
c/o Simon-Lesser PC
420 Lexington Avenue
New York, New York 10170
212.599.5455

Dr. Puntureri has discoverable information concerning Interstate's defenses to plaintiff's claims.

B. Lori Cirillo
Interstate Chemical Corporation
c/o Simon-Lesser PC
420 Lexington Avenue
New York, New York 10170
212.599.5455

Ms. Cirillo has discoverable information concerning Interstate's defenses to plaintiff's claims.

C. Zack Ferguson-Steger
Mitsubishi International Corporation
c/o Kornstein Veisz Wexler & Pollard LLP
757 Third Avenue
New York, New York 10017

Mr. Ferguson-Steger has discoverable information concerning Interstate's defenses to plaintiff's claims.

D. Thomas Reszler
Mitsubishi International Corporation
c/o Kornstein Veisz Wexler & Pollard LLP
757 Third Avenue
New York, New York 10017

Mr. Reszler has discoverable information concerning Interstate's defenses to plaintiff's claims.

E. Kathy Flood
Mitsubishi International Corporation
c/o Kornstein Veisz Wexler & Pollard LLP
757 Third Avenue
New York, New York 10017

Ms. Flood has discoverable information concerning Interstate's defenses to plaintiff's claims.

F. Kevin Fallon
Mitsubishi International Corporation
c/o Kornstein Veisz Wexler & Pollard LLP
757 Third Avenue
New York, New York 10017

Mr. Fallon has discoverable information concerning Interstate's defenses to plaintiff's claims.

G. Steve Elliot
Tauber Petrochemical Company
55 Waugh Drive
Houston, Texas 77007

Mr. Elliot has discoverable information concerning Interstate's defenses to plaintiff's claims.

2. Fed.R.Civ.P. 26(a)(1)(B)

Interstate is in possession of the following categories of documents relating to its defenses to plaintiff's claims:

- A. Correspondence between the parties concerning the transaction as alleged in the complaint.
- B. Correspondence and documents concerning the parties' course of dealing.
- C. Correspondence concerning the coast guard restrictions disclosed by Interstate to plaintiff in December, 2007.
- D. Documents concerning the market price for Methanol.

3. Fed.R.Civ.P. 26(a)(1)(C)

Not applicable.

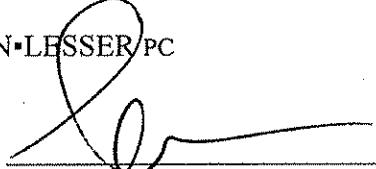
4. **Fed.R.Civ.P. 26(a)(1)(D)**

Not applicable.

Dated: New York, New York
March 19, 2008

SIMON•LESSER PC

By:


Leonard R. Lesser, Esq.

420 Lexington Avenue
New York, New York 10170

t: 212.599.5455

f: 212.599.5459

Attorneys for defendant Interstate Chemical
Corporation